REMARKS

Claims 1-16, 20-22, 26-36, and 40-44 are pending. Claims 5, 6, 9, 10, 20, 26, 29, 30, 33, 34, 40, 43, and 44 have been amended. No new matter has been introduced. Reexamination and reconsideration of the present application are respectfully requested.

In the May 14, 2007 Office Action, the Examiner allowed claims 1-4 and 13-16. The Examiner objected to claims 43 and 44 as being dependent upon a rejected base claim, but indicated that these claims would be allowable if rewritten in independent form. Applicants thank the Examiner for so indicating. Applicants have rewritten claims 43 and 44 in independent form in accordance with the Examiner's comments. Accordingly, Applicants respectfully submit that claims 43 and 44 are in condition for allowance.

The Examiner objected to claim 26 for informalities. Applicants have amended claim 26 in view of the Examiner's remarks. Accordingly, Applicants respectfully request that the Examiner withdraw the objection.

The Examiner rejected claims 5-12, 20-22, 26-36, and 40-42 under 35 U.S.C. § 102 (e) as being anticipated by Heredia et al., U.S. Patent No. 7,065,287 (hereinafter Heredia). Applicants respectfully traverses the rejections in view of the claims as amended.

Independent claim 5, as amended, recites:

A sound recording/reproducing method in a sound recording/reproducing apparatus for recording sound data onto a recording medium and reproducing said sound data from said record recording medium comprising:

an attribute information recording step of recording, onto a recording medium, attribute information on sound data of a music piece that are to be recorded onto the recording medium;

a rule table creation step of creating a rule table that associates the attribute information, digital signal processor (DSP) program parameters each designating, to a digital signal processor of an external amplifier apparatus, a sound field process or frequency characteristic process to be performed and processing start times, each designating a time when the sound field process or frequency characteristic process is to be started;

a DSP program parameter acquisition step of, at a time of reproduction when sound data of a music piece to be reproduced, read out from said recording medium, are to be outputted to said *external amplifier apparatus* which is currently connected to said sound recording/reproducing apparatus, *acquiring, from said rule table, any of the DSP program parameters that corresponds to the attribute information on the sound data and corresponds to any one of the processing start times that has coincided with an elapsed reproducing time of the sound data*; and

a DSP program parameter setting step of setting the DSP program parameter, acquired from said rule table, in said digital signal processor of said external amplifier apparatus currently connected to said sound recording/reproducing apparatus.

The Heredia reference does not disclose, teach, or suggest the sound recording/reproducing method specified in independent claim 5, as amended. Unlike the sound recording/reproducing method specified in independent claim 5, as amended, Heredia does not teach method including "a DSP program parameter acquisition step of, at a time of reproduction when sound data of a music piece to be reproduced, read out from said recording medium, are to be outputted to said *external amplifier apparatus* which is currently connected to said sound recording/reproducing apparatus, *acquiring, from said rule table, any of the DSP program parameters that corresponds to the attribute information on the sound data and corresponds to any one of the processing start times that has coincided with an elapsed reproducing time of the sound data.*"

Heredia is directed to a device for controlling audio and video equipment using a computer included in the device. *(Heredia, Col. 1, lines 26-30)* Heredia discloses a system 20 including CPU 26, an audio subsystem 22, a video subsystem 24 and a mass storage 30, all of which are connected by main bus 32. The CPU 26 executes a program

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to control the audio subsystem 22 and the video subsystem 24. The control functions performed by the CPU 26 include selection and mixing of audio signals. A database of recorded audio is stored in the mass storage device 30 to support these control functions. The software executed by CPU 26 is used to manually or automatically download programs to playback the files. The filename extensions are used to identify the program to be used for playback. *(Heredia, Col. 5, line 45- Col. 6, line 49)* However, Heredia fails to disclose "a DSP program parameter acquisition step of, at a time of reproduction when sound data of a music piece to be reproduced, read out from said recording medium, are to be outputted to said ***external amplifier apparatus*** which is currently connected to said sound recording/reproducing apparatus, *acquiring, from said rule table, any of the DSP program parameters that corresponds to the attribute information on the sound data and **corresponds to any one of the processing start times that has coincided with an elapsed reproducing time of the sound data.***" Accordingly, Applicants respectfully submit that independent claim 1, as amended distinguishes over Heredia.

Independent claims 9, 29, and 33 recite limitations similar to those in independent claim 5, as amended. Accordingly, Applicants respectfully submit that claims 5, 9, 29, and 33 distinguish over Heredia for reasons similar to those set forth above with respect to independent claim 5, as amended.

Claims 6-8 depend from independent claim 5, as amended. Claims 10-12 depend from independent claim 9. Claims 30-32, and 34-36 depend from independent claims 29, and 33, respectively. Accordingly, Applicants respectfully submit that claims 6-8, 10-12, 30-32, and 34-36 distinguish over Heredia for the same reasons set forth above with respect to independent claims 5, 9, 29, and 33.

Independent clam 20 as amended recites:

A sound recording/reproducing method in a sound recording/reproducing apparatus for recording sound data onto a recording medium and reproducing said sound data from said recording medium comprising:

a recorded level recording step of, when a succession of sound data are to be recorded onto the recording medium, *detecting a recorded level of the succession of the sound data and recording, onto the recording medium, the detected recorded level in association with the succession of the sound data;* and

a volume control step of, when sound data read out from the recording medium are to be output to an *external amplifier apparatus which is currently connected to said sound recording/reproducing apparatus having a volume control being controlled from outside*, acquiring a recorded level corresponding to a succession of the sound data to be reproduced and *controlling the volume control of the external amplifier apparatus currently connected to said sound recording/reproducing apparatus on the basis of the acquired recorded level and a reference recorded level.*

The Heredia reference does not disclose, teach, or suggest the sound recording/reproducing method specified in independent claim 20, as amended. Unlike the sound recording/reproducing method specified in independent claim 20, as amended, Heredia fails to teach a method including "a recorded level recording step of, when a succession of sound data are to be recorded onto the recording medium, *detecting a recorded level of the succession of the sound data and recording, onto the recording medium, the detected recorded level in association with the succession of the sound data."*

Heredia discloses a database which contains playlists of recorded audio. Each record in the playlist database may include attributes for the recorded audio such as the name of the artist or producer and the genre to which the recorded audio is associated. Audio effects such as echo, reverberation loudness, speed are also included. However, Heredia fails to disclose detection of a recorded level of music, storage of such level, and control of the volume of an amplifier responsive to detected level. Thus, Heredia does

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not disclose, teach, or suggest, a method including "a recorded level recording step of, when a succession of sound data are to be recorded onto the recording medium, *detecting a recorded level of the succession of the sound data and recording, onto the recording medium, the detected recorded level in association with the succession of the sound data.*" Accordingly, Applicants respectfully submit that independent claim 20, as amended distinguishes over Heredia.

Independent claims 26, and 40 recite limitations similar to those in independent claim 20, as amended. Accordingly, Applicants respectfully submit that claims 26 and 40 distinguish over Heredia for reasons similar to those set forth above with respect to independent claim 20, as amended.

Claims 21-22, 27-28, and 41-42 depend from independent claims 20, 26, and 40, respectively. Accordingly, Applicants respectfully submit that claims 21-22, 27-28, and 41-42 distinguish over Heredia for the same reasons set forth above with respect to independent claims 20, 26, and 40, respectively.

Applicants believe that the claims are in condition for allowance. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 488-7100 to discuss the steps necessary for placing the
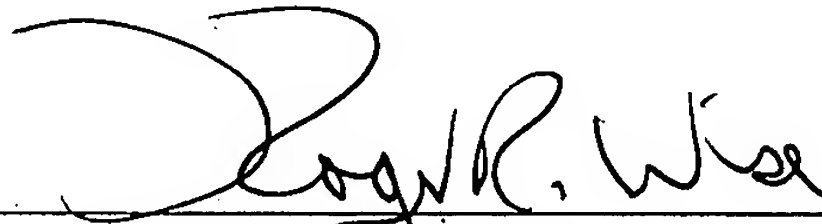
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application in condition for allowance should the Examiner believe that such a telephone conference call would advance prosecution of the application.

Respectfully submitted,

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Date: <u>November 14, 2007</u>   By: _____

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